Remarks/Arguments:

On page 2, the Official Action rejects claim 1 under 35 U.S.C. §103(a) as being unpatentable over Sawyer (U.S. Patent No. 5,282,737) in view of Peyrovian (U.S. Patent No. 6,707,800). It is respectfully submitted, however, that the claim is patentable over the art of record for the reasons set forth below.

Independent claim 1, as amended, recites a schedule of bandwidth usage for users that is maintained constant throughout the duration of a predetermined term ("*maintaining constant from the beginning of the predetermined term and during the entire duration of the predetermined term each respected schedule of each respective terminal*"). Independent claim 1 also recites a processing record that records the past partial assignments and partial exchanges of each of the terminals ("*recording a processing record comprising past partial assignment and partial exchanges by each terminal*"). This processing record is transmitted to each respective terminal within a distance range during a time interval ("*transmitting the recorded processing record to each respective terminal within an announcement distance range during an announcement time interval*"). The distance range and time interval of this transmission are controlled by the processing record ("*controlling the announcement range and announcement interval by the processing record*").

Applicants' scheduling and assignments are made by the beginning of the term and are **maintained constant throughout the entire duration of that term**. For example, Fig. 2 in the specification shows that terminal A and terminal B are assigned bandwidth by beginning of the term (0 hours). This schedule assignment is maintained constant throughout the entire duration of the term (0 hours to 5 hours).

Applicants' processing record is information that comprises past partial assignments and exchanges by the terminals. This feature is supported on page 27, lines 13-15 ("*based on the processing record of the processing in the past of assigning or exchanging of the transmission bands*"). This processing record is transmitted (announced) to terminals during a time interval and within a specified distance range. This feature is supported on page 28, lines 19 to page 29, line 14 ("*information on assign may be varied in a number of ways in a manner reflecting a past processing record by controlling the intervals when the information on the past records are announced (this is simply called an advertisement interval) ... as for the method for controlling the range (achieved distance) of announcing the past records, the value of TTL (Time to Live)*"

can be utilized in the Internet protocol"). Thus, the distance at which the terminals announce their past records and the time interval in which the announcement takes place, is controlled by the processing record which comprises past partial assignments and partial exchanges by the terminal.

On page 3, the Official Action states that Sawyer does not suggest defining a duration of the term by the beginning of the term. Thus, Sawyer does not suggest the features of Applicants' amended claim 1. On page 3, however, the Official Action states that Peyrovian teaches assigning bandwidth at the beginning of a term, and thus defining a term duration by the beginning of the term. The Official Action goes on to state that Peyrovian sets up virtual paths where a bandwidth is a reserved for each channel. Peyrovian, however, does not maintain the bandwidth assignments throughout the entire duration of the term. In contrast, Peyrovian teaches that the bandwidth is exchanged between the virtual circuits (idle circuits) during a duration of the assigned term (bandwidth assignment is not maintained constant during the term; it changes). Furthermore, Peyrovian does not teach a processing record that records the past partial assignments and partial exchanges by the terminals. Specifically, he also does not teach that a processing record is utilized to control the announcement distance range and announcement time interval of this information to the other terminals.

On page 4, the Official Action states that Iwata teaches quality of service based on history information. Iwata's history information, however, is not information of past partial assignment and partial exchanges by the terminal. Furthermore, Iwata does not suggest controlling an announcement distance range and announcement time intervals of the history information. Thus, Iwata does not suggest the features of Applicants' amended claim 1.

Accordingly, for the reasons set forth above, claim 1 is patentable over the art of record.

Claims 2, 41, 42 and 43 include all of the features of claim 1 from which they depend. Thus, claims 2, 41, 42 and 43 are also patentable over the art of record for the reasons set forth above.

   In view of the amendments arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

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Allan Rather, Reg. No. 19,717
Attorney for Applicants

RAE/so

Dated: October 6, 2008

   P.O. Box 980
   Valley Forge, PA 19482
   (610) 407-0700

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